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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,413	06/17/2005	**Derrick Diarmuid Robertson**	36-1909	2356

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EXAMINER	
YOUSSEF, ADEL Y	

ART UNIT	PAPER NUMBER
2618	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/539,413	ROBERTSON ET AL.	
	Examiner	Art Unit	
	ADEL YOUSSEF	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-11 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-11 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 1-5, 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler et al (PGPUB-No: 2002/0129248) in view of Clubb et al. (PGPUB-No: 2001/0034791).

Regarding claim 1, wheeler et al. teach a method of identifying a predetermined number of computers within a computer network which satisfy one or more specified conditions, the method comprising communicating a request from an originating computer to one or more of the computers in the network a request message which includes said one or more specified conditions and a token value which is indicative of a number of computer devices to be located by the message; receiving said request message at subsequent computers and at each subsequent computer which receives a request message processing the message (paragraph 4, lines 2-6, paragraph 222, lines 2-7) , performing the following steps:

determining if it is able to satisfy the one or more conditions specified in the request

message and if so, decrementing the token value within the received request message(paragraph 393, lines 3-6), and identifying itself to the request originating computer (paragraph 16, lines 1-4, paragraph 394, lines 1-5) and then determining if the, possibly decremented, token value in the received request message indicates that at least one further computer device is required to be located and if so, but fail to teach forwarding of one or more daughter messages on to a subsequent computer or computers within the computer network unless a restriction criterion has been met ,wherein each daughter message includes said one or more specified conditions and a token value such that the token value if only one daughter message is forwarded, or the sum of the token values of the daughter messages if more than one daughter message is forwarded, equals the, possibly decremented, token value of the received request message. However Clubb et al teach but fail to teach forwarding of one or more daughter messages on to a subsequent computer or computers within the computer network unless a restriction criterion has been met ,wherein each daughter message includes said one or more specified conditions and a token value such that the token value if only one daughter message is forwarded, or the sum of the token values of the daughter messages if more than one daughter message is forwarded, equals the, possibly decremented, token value of the received request message (paragraphs 9, 22, 23, 25, 26, paragraph119, lines 3-4, paragraph 124, line 3, paragraph165). Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of Wheeler to include forwarding of one or more daughter messages on to a subsequent computer or computers within the computer network unless a

restriction criterion has been met as taught by Clubb in order to provide formatted for the selected client device, thereby improve more security for customer.

Regarding claim 2, wheeler et al. teach a method as claimed in claim 1 but fail to teach wherein each message includes a number of further hops permissible as a restriction criterion and each time the message is newly received by a device it decrements the number of further hops permissible until it reaches zero whereupon the restriction criterion is deemed to have been met. However Clubb teach each message includes a number of further hops permissible as a restriction criterion and each time the message is newly received by a device it decrements the number of further hops permissible until it reaches zero whereupon the restriction criterion is deemed to have been met (paragraph 8, paragraph 9, paragraph 54, lines 6-10, paragraph 172, line 3, paragraph 184, line 7). Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of Wheeler to include hops permissible as a restriction criterion and each time the message is newly received by a device as taught by Clubb in order to provide to load balancing by providing traffic to computers , thereby improve more customer services.

Regarding claim 3, wheeler et al. teach a method as claimed in claim 1, but fail to teach wherein each computer maintains a register of neighboring devices for the purpose of communicating request messages thereto together with a probability associated with each registered neighboring device and wherein these probabilities are

used to determine to which neighboring device or devices a request message or messages is or are to be sent. However Clubb teach each computer maintains a register of neighboring devices for the purpose of communicating request messages thereto together with a probability associated with each registered neighboring device and wherein these probabilities are used to determine to which neighboring device or devices a request message or messages is or are to be sent (paragraph 118, paragraph 151, lines 2-4, paragraph 201, lines 1-4, paragraph 212, lines 2-3, paragraph 230, line 5, paragraph 411, lines 1-2, paragraph 603), Therefore it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of Wheeler to include each computer maintains a register of neighboring devices for the purpose of communicating request messages thereto together with a probability associated with each registered neighboring device as taught by Clubb in order to provide to intelligent messaging network thereby improve more security for customer.

Regarding claim 4, wheeler et al. further teach a method as claimed in claim 3, wherein a computer from time to time requests certain of its neighbors to re-register with other computers in dependence upon the probabilities associated with its registered neighboring computers (paragraph 199, lines 3-11, paragraph 305, paragraph 333).

Regarding claim 5, wheeler et al. further teach a method of storing a data file in a computer network, the method :

identifying a predetermined number of computers within a computer network using the

method according to claim 1: generating a first plurality, corresponding to the identified predetermined number of computers (paragraphs 14, 112, 115, see figure 2a), of erasure coded fragments from the data file such that any subset of the fragments which contains at least a smaller predetermined number of the first plurality of fragments can be used to recreate the data file (paragraphs 247, 250); and
transmitting each of the erasure coded fragments to a respective one of the identified computers for storage thereon (paragraphs 139, 159, 175, 200, see figure 76);
wherein at least one of the one or more specified conditions is that the computer has sufficient storage space available for storing one of said fragments (paragraphs 175, 200).

Regarding claim 7, wheeler et al. teach a method as claimed in claim 5 wherein but fail to teach each fragment is encoded before transmission to a respective identified computer . However Clubb teach each fragment is encoded before transmission to a respective identified computer (paragraphs 23, 109, 132, 158). Therefore it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of Wheeler to include respective identified computer as taught by Clubb in order to provide station ID of the client device based on the customer information thereby improve more security .

Regarding claim 8, Wheeler et al. teach a method as claimed in claim 5 but fail to teach wherein each fragment is transmitted together with the public key of a public/private key combination belonging to a user attempting to store the data file.

However Clubb teach each fragment is transmitted together with the public key of a public/private key combination belonging to a user attempting to store the data file (paragraph 562). Therefore it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of Wheeler to include public/private key as taught by Clubb in order to provide a single secret key thereby improve security for exchanging messages.

Regarding claim 9, Wheeler et al. teach a method as claimed in claim 5 but fail to teach wherein the data file is first transmitted from a remote client device to a gateway computer which is on the other side of a firewall between the remote client device and the gateway server, the computer network within which the computers are to be identified also being located on the other side of the firewall to the remote client device. However Clubb teach the data file is first transmitted from a remote client device to a gateway computer which is on the other side of a firewall between the remote client device and the gateway server (paragraphs 16, 19, 23, 25, see figure 1A) the computer network within which the computers are to be identified also being located on the other side of the firewall to the remote client device (paragraph 53, lines 2-5, paragraph 54, lines 7-12, paragraph 210, line 3). Therefore it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of Wheeler to include the gateway server and firewall as taught by Clubb in order to provide protected from unauthorized access client device thereby improve more security for customer .

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Clubb et al. (PGPUB-No: 2001/0034791).

Regarding claim 10, Clubb et al. teach a computer network comprising a plurality of computers having data connections such that each computer within the network can communicate with any other computer within the network provided both computers are running and correctly connected into the network, each computer within the network comprising:

a request generator for generating request messages each of which includes a token value indicative of the number of other computers within the network to be identified by the message and one or more specified conditions which each identified computer is to satisfy; and a request processor for processing received request messages by (paragraphs 502, 564, 612, 620):

determining if it is able to satisfy the one or more conditions specified in the request message and if so, decrementing the token value within the message and identifying

itself to the originator of the corresponding received request message (paragraphs 40, 41, paragraph 183, line 4, see figure 6A, 6B), and then, determining if the, possibly decremented, token value in the request message indicates that at least one further computer is required to be located .by the message and if so, forwarding the one or more daughter messages (paragraphs 22, 23, 25) on to a subsequent computer or computers within the computer network, unless a restriction criterion has been met wherein each daughter message includes said one or more specified conditions and a token value such that the token value if only one daughter message is forwarded (paragraphs 25, 26) or the sum of the token values of the daughter messages if more than one daughter message is forwarded, equals the, possibly decremented, token value of the received request message (paragraphs 9, 22, 23, 25, 26, paragraph119, lines 3-4, paragraph 124, line 3, paragraph165).

Regarding claim 11, Clubb et al. teach computer device-for forming part of a computer network comprising a plurality of computer computers having data connections such that each computer device-within the network can communicate with any other computer within the network provided both computers are running and correctly connected into the network, the computer comprising:

a request generator for generating request messages each of which includes a token value indicative of the number of other computers within the network to be identified by the message and one or more specified conditions which each identified computer is to satisfy; and a request processor for processing received request messages by

(paragraphs 502, 564, 612, 620):

determining if it is able to satisfy the one or more conditions specified in the received request message and if so, decrementing the token value within the message and identifying itself to the originator of the received request message (paragraph 6, line 9) and then, determining if the, possibly decremented, token value in the received request message indicates that at least one further computer is required to be located by the message (paragraphs 22, 24, 56, 154) and if so, forwarding one or more daughter messages on to a subsequent computer or computers within the computer-network (paragraphs 22, 23, 25), unless a restriction criterion has been wherein each daughter message includes said one or more specified conditions and a token value such that the token value if only one daughter message is forwarded, or the sum of the token values of the daughter messages if more than one daughter message is forwarded, equals the, possibly decremented, token value of the received request message. (Paragraphs 9, 22, 23, 25, 26, paragraph119, lines 3-4, paragraph 124, line 3, paragraph165)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure **Stoifo** et al (PGPUB- No: 2001/0034709) teach a method and apparatus for enabling a user having a first identification at a first computer to communicate privately with a second computer. The method includes the step of receiving from the first computer a request to send a first message to the second computer, assigning a second identification to the user, and forwarding the first message to the second computer using the second identification. The method further includes the steps of receiving a second message from the second computer in

response to the first message, and forwarding the second message to the first computer using the first identification. A corresponding system is also described.

Shipman et al. (2005/0022014) teach a computer security system for use in a network environment comprising at least a plurality of user computers arranged to communicate over a network, the system comprising a warning message exchange system operable to allow the communication from the user computers of warning messages relating to suspect data identified as a possible security threat; a message counting system operable to maintain a count for every particular piece or set of suspect data based on the number of warning messages communicated relating thereto; and network security means operable to act against any particular piece or set of suspect data for which the count maintained therefor exceeds at least one threshold value.

Treibach-Heck et al (Patent No: US7296221) teach an originator accesses a client system to select a form, and then enters data to be associated with a particular instance of the form. When the originator requests printing of the partially completed form, the print command is intercepted by a driver in the client system, which communicates with a form-processing application in the center, which assigns a unique identifier to the form and associates the identifier with the form in a data base. The form is then printed for the originator, who sends the form to a user. The user completes the form, including markings such as a signature or handwritten information and returns it to the center. After extracting the identifier from the returned form and verifying the form, the center automatically routes and/or indexes and/or forwards the image of the form to the proper

location(s), and may also automatically enter the extracted data, properly indexed, into a data base.

Any response to this Office Action should be **faxed** to (571) 273-8300 or **mailed to:**

Commissioner for patents
P.O.Box1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adel Y. Youssef whose telephone number is 571-270-3525. The examiner can normally be reached on Monday to Thursday 8am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lana Le can be reached on 571-272-7490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

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ADEL YOUSSEF

UNIT#2618

03/24/2008

/Lana N. Le/
Acting SPE of Art Unit 2618